

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

**COLLEGE REPUBLICANS OF THE
UNIVERSITY OF WASHINGTON;
CHEVY SWANSON**, an Individual,

Plaintiffs,

vs.

ANA MARI CAUCE, in her official capacity
as president of the University of Washington;
GERALD J. BALDASTY, in his official
capacity as provost and executive vice
president; **RENE SINGLETON**, individually
and in her official capacity as assistant
director, Student Activities; **CHRISTINA
COOP**, individually and in her official
capacity as senior activities advisor, Student
Activities; **JOHN N. VINSON**, individually
and in his official capacity as Chief of the
University of Washington, Seattle, Police
Department; **CRAIG WILSON** individually
and in his official capacity as University of
Washington, Seattle, Police Department Patrol
Commander; and DOES 1-25;

Defendants.

NO. _____

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR TEMPORARY
RESTRAINING ORDER AND FOR
ORDER TO SHOW CAUSE WHY
PRELIMINARY INJUNCTION
SHOULD NOT ISSUE**

Motion Date: _____

1 PLEASE TAKE NOTICE that Plaintiffs College Republicans of the University of
2 Washington and Chevy Swanson {"Plaintiffs"}, by and through counsel, will and hereby
3 do move this Court pursuant to Fed. R. Civ. P. 65(b) and Local Rule 65-1 for a temporary
4 restraining order against University of Washington ("UW Seattle") officials, Defendants
5 Ana Mari Cauce, in her official capacity as president of the University of Washington;
6 Gerald J. Baldasty, in his official capacity as provost and executive vice president; Rene
7 Singleton, individually and in her official capacity as assistant director, Student
8 Activities; Christina Coop, individually and in her official capacity as senior activities
9 advisor, Student Activities; John N. Vinson, individually and in his official capacity as
10 Chief of the University of Washington Police Department; Craig Wilson, individually
11 and in his official capacity as University of Washington Police Department Patrol
12 Commander; and DOES 1-25 ("Defendants"). This Motion is brought on the grounds
13 that Plaintiffs are likely to succeed on the merits of this case, they will suffer irreparable
14 harm without injunctive relief, the balance of equities tips sharply in their favor, and the
15 relief sought is in the public interest. This Motion is supported by the accompanying
16 Memorandum of Points and Authorities; by Plaintiffs' Complaint and all Exhibits
17 attached thereto; by the Declaration of William J. Becker, Jr., in support thereof and all
18 exhibits attached thereto; by the declaration of Chevy Swanson in support thereof and
19 all exhibits attached thereto; by Plaintiffs' Complaint and all Exhibits attached thereto;
20 and by such further argument and evidence to be submitted at oral argument.
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1 Plaintiffs seek a temporary restraining order enjoining Defendants (1) from
 2 assessing a prohibitively excessive security fee against Plaintiffs arising from their
 3 application for use of the UW Seattle Red Square location on Saturday, February 10,
 4 2018, to engage in peaceful speech and assembly and (2) from denying Plaintiffs a
 5 permit for use of said location on said date or otherwise prohibiting or preventing
 6 Plaintiffs' event, including, but not limited to, the appearance of Joey Gibson ("Gibson")
 7 as scheduled for Saturday, February 10, 2018, in Red Square on the UW Seattle campus.
 8 This shall include an order that Defendants shall provide adequate security for Plaintiffs
 9 and Gibson, event attendees, peaceful protesters, and all other persons on the UW
 10 Seattle campus during the event. Plaintiffs further request that the Court issue an order
 11 to show cause why a preliminary injunction should not issue enjoining Defendants from
 12 further enforcement of its security fee policy as discussed below and in the Complaint,
 13 until Plaintiffs' claims may be fully adjudicated by the Court. Plaintiffs request that the
 14 Court waive any bond requirement, because enjoining Defendants from
 15 unconstitutionally imposing a exorbitant security fee on Plaintiffs acts as a tax on
 16 protected speech and will not financially affect Defendants.

21 DATED this February 6, 2018

22 ELLIS, LI & McKINSTRY PLLC

23 *s/ Kyle D. Netterfield*

24 Kyle D. Netterfield WSBA No. 27101

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4 Republicans of the University of
Washington and Chevy Swanson

7 FREEDOM X

8 s/

9 William J. Becker, Jr., ESQ. SBN No. 134545
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